

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

BRENDA A. MOORE,

Plaintiff,

V.

MEGAN J. BRENNAN,

Postmaster General,

Defendant.

No. 2:18-cv-2881-SHL

**ORDER ADOPTING REPORT AND RECOMMENDATION, GRANTING
SUMMARY JUDGMENT AND DISMISSING CASE**

Before the Court is Chief Magistrate Judge Vescovo’s Report and Recommendation (“Report”), filed April 16, 2020. (ECF No. 44.) The Report recommends granting Defendant’s Motion for Summary Judgment. (ECF No. 33.) For the following reasons, the Report is **ADOPTED**. Summary judgment is **GRANTED** to Defendant, and the case is **DISMISSED WITH PREJUDICE**.

A magistrate judge may submit to a judge of the court proposed findings of fact and recommendations for involuntary dismissal of an action for failure to prosecute. 28 U.S.C. § 636(b)(1)(B). “Within 14 days after being served with a copy of the recommended disposition, a party may serve and file specific written objections to the proposed findings and recommendations.” Fed. R. Civ. P. 72(b)(2); see also 28 U.S.C. § 636(b)(1). A district court reviews de novo only those proposed findings of fact or conclusions of law to which a party specifically objects. Fed. R. Civ. P. 72(b)(3); see also 28 U.S.C. § 636(b)(1).

The deadline to object to the Report was April 30, 2020, yet that date passed without a word from Plaintiff. On May 19, Plaintiff filed a motion for an extension of time to file her objections. (ECF No. 49.) Despite the untimeliness of the motion for an extension, the Court granted an extension until June 11. (ECF No. 50.) That date also passed without a word from Plaintiff. Plaintiff's time to object is long gone.

The Court has reviewed the Report for clear error and finds only one, a scrivener's error. On page 38 of the Report, (ECF No. 44 at PageID 545), the date on which Plaintiff filed her first Equal Employment Opportunity (EEO) complaint is provided as April 18, 2018. However, the correct date is April 18, 2017. That Plaintiff filed her first EEO complaint on April 18, 2017, is proven by the date listed on the copy of the EEO complaint on the docket, (ECF No. 33-15). The remainder of the Report is consistent with the correct date. Ultimately, this scrivener's error has no bearing on the Report's otherwise factually and legally sound analysis.

Therefore, the Court **ADOPTS** the Chief Magistrate Judge's Report. Summary Judgment is **GRANTED** to Defendant, and Plaintiff's claims are **DISMISSED WITH PREJUDICE**.

IT IS SO ORDERED, this 5th day of August, 2020.

s/ Sheryl H. Lipman

SHERYL H. LIPMAN
UNITED STATES DISTRICT JUDGE